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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/011,002

12/06/2001

Douglas M. Dillon

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THE DIRECTV GROUP INC
PATENT DOCKET ADMINISTRATION RE/R11/A109
P O BOX 956
EL SEGUNDO, CA 90245-0956

EXAMINER

HARPER, KEVIN C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/011,002

Applicant(s)

DILLON, DOUGLAS M.

Examiner

Kevin C. Harper

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 197-242 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 197-242 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2, 4</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claim 226 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 226 is a single means claim not enabled by the specification (see MPEP 2164.08(a)).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 197, 200, 204, 205, 208, 211, 214, 218-219, 222, 225, 226, 229, 233-234, 237 and 240-242 are rejected under 35 U.S.C. 102(e) as being anticipated by Shen (US 5,946,697).

2. Regarding claims 197, 200, 204, 205, 208, 211, 214, 218-219, 222, 225, 226, 229, 233-234, 237 and 240-242, Shen discloses a method comprising accessing a URL at a first time to obtain a first HTML document (fig. 3, steps 42-44; col. 6, lines 25-28) and at a later time to obtain a second HTML document (col. 6, lines 55-58), and difference compressing the second HTML document as compared

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to the first HTML document (fig. 3, step 62; col. 6, lines 48-54; col. 8, lines 57-66). The data common to the first and second HTML documents is omitted and a reference to where the data is located in the first HTML document is included (col. 6, line 64 through col. 7, line 11 col. 1, lines 18-20). The compressed HTML document or file is decompressed by replacing references to the first HTML document with data from the first HTML document (fig. 3, step 64 and 52; col. 9, lines 11-15). Further regarding claims 211, 214, 218-219, 222, 225, 226, 233-234, 237 and 241-242, the method is performed by an apparatus (fig. 1, item 16 or 22) comprising an inherent receiving unit, and/or an inherent HTML document difference compressor or compression unit, and/or an inherent processing unit or decompressing unit, and/or an inherent determining unit (fig. 3, step 60 or 64).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 198-199, 202-203, 206-207, 209-210, 212-213, 216-217, 220-221, 223-224, 227-228, 231-232, 235-236 and 238-239 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al. (US 6,324,182) in view of Shen (US 5,946,697).

3. Regarding claims 198-199, 202-203, 206-207, 209-210, 212-213, 216-217, 220-221, 223-224, 227-228, 231-232, 235-236 and 238-239, Burns discloses a method comprising accessing URLs (col. 4, lines 60-65) to obtain HTML documents and multicasting HTML documents (fig. 1; col. 6, lines 1-9) by an apparatus (fig. 1) having a multicasting unit (item 11). However, Burns does not specifically

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disclose accessing a URL a second and later time to obtain a second HTML document and difference compressing the second HTML document. Shen discloses a method comprising accessing a URL at a first time to obtain a first HTML document (fig. 3, steps 42-44; col. 6, lines 25-28) and at a later time to obtain a second HTML document (col. 6, lines 55-58), and difference compressing the second HTML document as compared to the first HTML document (fig. 3, step 62; col. 6, lines 48-54; col. 8, lines 57-66). The compressed HTML document or file is decompressed by replacing references to the first HTML document with data from the first HTML document (fig. 3, step 64 and 52; col. 9, lines 11-15). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to difference compress a second HTML document obtained from a URL in the invention of Burns in order to conserve network bandwidth (Shen, col. 2, lines 30-38). Further regarding claims 212-213, 216-217, 223-224, 227-228, 231-232, 235-236 and 238-239, in Shen, the method is performed by an apparatus (fig. 1, item 16 or 22) comprising an inherent receiving unit, and/or an inherent HTML document difference compressor or compression unit, and/or an inherent processing unit or decompressing unit, and/or an inherent determining unit (fig. 3, step 60 or 64).

Claims 201, 215 and 230 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen (US 5,946,697) in view of Imai (US 6,047,126).

4. Regarding claim 201, 215 and 230, Shen discloses referring to the start and end of unchanged sections of an HTML document (col. 6, line 64 through col. 7, line 1; col. 8, lines 33-37). However, Shen does not disclose identifying a starting byte and an ending byte of an HTML document. Imai discloses referring to the starting and ending byte position of information in an HTML document (figs. 2, 6 and 10; col. 8, lines 53-62). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to refer to the starting and ending byte positions of information within an

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HTML document in the invention of Shen in order to properly or precisely format information for display.

Conclusion

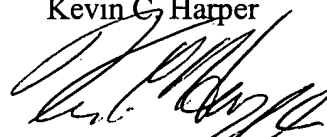
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Douglass et al. (US 6,021,426; abstract) and Chan et al. (US 6,178,461; figs. 2-3) each disclose transmitting difference compressed HTML documents.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:30 AM to 8:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only (applications must be associated with a customer number). For more information about the PAIR system, see pair.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin C. Harper



September 6, 2004